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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,914	11/14/2003	Tsutomu Okabe	245161US3 CIP	7655
22850	7590	08/16/2006		EXAMINER
C. IRVIN MCCLELLAND OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				MOORE, KARLA A
			ART UNIT	PAPER NUMBER
			1763	

DATE MAILED: 08/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/706,914	OKABE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Karla Moore	1763	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 05 June 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 14 November 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. As the claims are currently written, the first clearance is present when the transferring operation is performed and the second clearance is present when a transferring operation is not performed. Claim 3 provides for communication between the first clearance and the second clearance, however, as presently recited this appears to be impossible. Correction and/or clarification is requested.

### ***Claim Objections***

4. Claims 1-3 are objected to because of the following informalities: Claim 1 comprises the following recitation "wherein when the wafer transferring operation is performed, the clean box is fixed with a **first clearance around the entire perimeter of the clean box having a predetermined distance between the opening formed plane of the clean box and the outside surface of the part of the wall in which the first opening portion is formed.**" of which the bolded part is unclear and confusing. Examiner suggests the bolded portion of the above recitation be reworded for clarity. A suggestion is "wherein when the wafer transferring operation is performed, the clean box is fixed with a first clearance around the entire perimeter of the clean box, the first clearance having a predetermined distance between a plane formed by the opening of the clean box and an outside surface of the part of the wall in which the first opening is formed." Another suggestion is "a first clearance, around the entire perimeter of the clean box, having a predetermined distance between a plane formed by the opening of the clean box and the outside surface of the part of the wall in which the first opening portion is formed."

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Pub.

2002/0106267 A1 to Fujii et al.

5. Fujii et al. disclose a wafer processing apparatus in Figures 2, 3A and 3B, including a mini-environment/chamber portion (high cleanliness room) having a chamber therein (121) and configured to transfer a wafer (using robot 116) between a clean box (102), having a lid (103) and a housing the wafer, and the mini-environment/chamber, said apparatus comprising: a first opening portion (in wall 105, see paragraph 58) in communication with the mini-environment/chamber which is formed on a part of a wall comprising the mini-environment/chamber, facing an opening of the clean box so as to allow loading and unloading the wafer between the clean box and the mini-environment portion/chamber; and a door (104) that closes the first opening when a transfer is not performed and opens the first opening when the transfer of the wafer is performed, wherein when the transfer of the wafer is performed, the clean box is fixed with a first clearance, around the entire perimeter of the clean box, around the entire perimeter of the clean box, having a predetermined distance between a plane formed by the opening of the clean box and the outside surface of the part of the wall in which the first opening portion is formed (see Figure 3A).

6. With respect to claim 2, when the door is positioned to substantially close the first opening portion (i.e. when the transfer of the wafer is not performed), a second clearance through which the mini-environment/chamber and an exterior of the mini-environment/chamber are in communication exists. See paragraph 58 and Figure 3B.

7. With respect to claim 3, the first clearance having a predetermined distance between a plane formed by the opening of the clean box and the outside surface part of the wall in which the first opening portion (i.e. the first clearance is a vertical wall-like clearance formed between the container and the mini-environment) and the second clearance through which the mini-environment/chamber and the exterior of the mini-environment/chamber are in communication (i.e. the second clearance is formed by a gap

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formed around the door which is directed in a horizontal direction with respect to the openings of the container and the mini-environment/chamber) are in communication with one another. See Figure 3B.

8. The limitations of claim 4 are addressed above.
9. With respect to claims 5 and 6, see analysis of claim 3.

#### ***Response to Arguments***

10. The double patenting rejections over U.S. Patent Application No. 10/706,977 and U.S. Patent Application No. 10/330,092 are withdrawn.

11. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karla Moore whose telephone number is 571.272.1440. The examiner can normally be reached on Monday-Friday, 9:00 am-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Parviz Hassanzadeh can be reached on 571.272.1435. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Karla Moore  
Primary Examiner  
Art Unit 1763  
11 August 2006